

identity; and

sealing [wrapping] the food portion within the flexible film [and sealing each food portion within the wrapper].

14. (Amended) A hot-fill process using a vertical form and fill machine for continuously preparing a packaged food portion consisting of two or more different food items wrapped in a flexible film, comprising the steps of:

simultaneously and separately pumping each of the two or more food items to an extrusion location, simultaneously and separately extruding each of the food items and combining them into a food portion wherein the combined food items within the food portion retain their individual product identity, and longitudinally wrapping the food portion in a tubular web of the film;

forming the tubular web into a slice-shaped food portion using one or more flattening devices;

briefly maintaining separation of the food items following extrusion and prior to the formation of the web into a slice-shaped food portion using one or more divider plates; and

enclosing and sealing the food portion within the flexible film [The process of Claim 1], wherein the food portions comprise slices and two or more generally planar-shaped extrusion nozzles are used to provide a laminate food slice; and wherein the food slices are sufficiently cohesive to permit manual removal of the food slice from the wrapper while substantially retaining textural and shape characteristics of the slice.

16. (Amended) The process of Claim 14 [15], wherein the one or more divider plates are coated with a substance having a low coefficient of friction.

18. (Amended) The process of Claim 1, wherein the food portions comprise food slices which are continuously sealed and wrapped at a rate in excess of 300 slices/minute at a single-lane machine.

23. (Amended) The process of Claim 21, wherein the sensing mechanisms comprise one or more of the following: mass flow meters, transducers and level sensors.

38. (Amended) A fluid-fill process using a vertical form and fill machine for continuously preparing and packaging food portions consisting of two or more different food items wrapped in a flexible film, comprising the steps of:

heating at least one of the two or more food items to a soft, molten mass while maintaining at least one of the two food items in a liquid state;

separately pumping each of the two or more food items to an extrusion location;

extruding each of the food items and combining them into a predetermined [the] food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, wherein the food items maintain their individual product identity and organoleptic attributes; and

enclosing [wrapping] the food portions within the flexible film and hermetically sealing each food portion within a hermetically sealed package of the flexible film having hermetic longitudinal seals and a hermetic cross-seal [the wrapper].

40. (Amended) A process using a vertical form and fill machine for continuously preparing and packaging conformed food slices consisting of nut butter and jelly wrapped in a flexible film, comprising the steps of:

heating and mixing the nut butter and jelly into a liquified mixture;

separately delivering each of the liquified [heated] nut butter and jelly to an extrusion location;

coextruding the nut butter and jelly so that each is combined [within each food slice] into a predetermined food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, while permitting the nut butter and jelly within the food portion to maintain its individual product identity and organoleptic attributes;

converting each food portion into a generally slice-shape, wherein the food slices are sufficiently cohesive to permit manual removal of the food slice from the wrapper while substantially retaining textural and shape characteristics of the slice; and

wrapping the coextruded food slices within the flexible film and sealing each food slice within the wrapper.

60. (Amended) A fluid-fill process using a vertical form and fill machine for continuously preparing food portions consisting of two or more different food items wrapped in a flexible film, wherein the food items maintain their individual product identity, comprising the steps of:

preparing each of the two or more different food items;

separately delivering each of the two or more food items to an extrusion

location:

continuously coextruding the food items and combining them into a predetermined amount of the food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, while permitting the individual food items within the food portion to maintain their discrete product identities and individual organoleptic attributes; and

forming the tubular web into a slice-shaped food product;

briefly maintaining separation of the food items following extrusion and prior to the formation of the web into a slice-shaped food product using one or more divider plates; and

enclosing [wrapping] the food portion within the flexible film and sealing each food portion within the film [wrapper].

63. (Amended) A fluid-fill process using a vertical form and fill machine for continuously preparing conformed food slices consisting of nut butter and jelly wrapped in a flexible film, comprising the steps of:

preparing [heating each of] the nut butter and jelly into a fluidic mixture;  
delivering the fluidic mixture [each] of the heated nut butter and jelly to an  
extrusion location;  
continuously coextruding the nut butter and jelly;  
simultaneously filling the coextruded nut butter and jelly within a tubular web of  
the flexible film, and [:] longitudinally sealing the film using one or more longitudinal sealing  
bars to form a hermetic longitudinal seal;  
forming the product-filled film into a slice-shaped form [either] before [or after]  
longitudinal sealing of the film;  
sealing the film at cross-sealing locations to form hermetic cross-seals; and  
cooling the product-filled film either before or after cross-sealing of the film;  
to thereby provide hermetically sealed food slices each of which contain the nut  
butter and the jelly, the food slices being wrapped and hermetically sealed within the flexible  
film.

**Please add new Claims 66-77, as follows:**

A<sup>1</sup> 66. The process of Claim 1, wherein the amount of the food portion present is derived  
by measuring the expansion or contraction of the tubular web of film depending upon the amount  
of food present within the film.

67. The process of Claim 66, wherein an electric motor controlled by a variable frequency drive is used to control the amount of food introduced into the tubular web of film.

68. The process of Claim 67, further comprising a linear variable differential transformer, wherein motor speed changes depending upon sensed voltage, the sensed voltage fluctuating with expansions or contractions in the tubular web of film.

69. The process of Claim 21, wherein the sensing mechanism comprises a bubble control device for controlling the amount of food items enclosed by the flexible film.

70. The process of Claim 40, further comprising the step of adding corn syrup to the food items prior to the extruding step but after substantial mixing has occurred.

71. The process of Claim 1, wherein the portion control method permits an adjustment in the relative amount of two or more of the food items within a food portion.

72. The process of Claim 14, wherein the food items are combined into a food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present.

73. The process of Claim 72, wherein portion control method permits an

adjustment in the relative amount of two or more of the food items within a food portion.

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74. The process of Claim 73, wherein at least one of the one or more divider plates is moved to permit an adjustment in the relative amount of two or more of the food items within a food portion.

75. The process of Claim 1, further comprising the steps of cooling and then flattening the product-filled film.

76. The process of Claim 75, wherein the cooling and flattening steps occur after the food items are enclosed within the tubular web of film.

77. The process of Claim 1, wherein the cooling step is accomplished using cooling water.

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**REMARKS**

Claims 1-14, 16-34, 36-38, 40, 43, 44, 60, 63, 64 and 66-77 are pending. Claims 66-77 are new, while Claims 15, 35, 39, 41, 42, 61, 62 and 65 have been cancelled without prejudice. The original pending claims have been rejected as unpatentable under 35 U.S.C. § 103 in light of various cited prior art. Applicants respectfully traverse the rejections in light of the pending.